

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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MARYAM QURESHI, on behalf of herself :
and others similarly situated, : Case No.: 2:14-cv-01806-CCC-MF

Plaintiff, :
:
v. :
:
OPS 9, LLC and ANURAG SETT, :
:
Defendants. :
:
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OPS 9, LLC and ANURAG SETT, :
Third-Party Plaintiffs, :
v. :
:
FALONI & ASSOCIATES, LLC, :
Third-Party Defendant. :
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**DECLARATION OF ANURAG SETT IN SUPPORT OF THIRD-PARTY PLAINTIFFS’
MOTION FOR ATTORNEYS’ FEES**

I, Anurag Sett, pursuant to 28 U.S.C. §1746, being of full age, hereby declares as follows:

1. I am the Managing Member of OPS 9, LLC.
2. I have personal knowledge as to the facts set forth herein.
3. I submit this Declaration in support of Third-Party Plaintiffs’ Motion for Attorneys’ Fees.
4. OPS 9 purchased the account in question (Maryam Qureshi), along with numerous other accounts wherein checks had been returned by the bank due to insufficient funds (“NSF”).

5. OPS 9 transferred Ms. Qureshi's account, along with many others (collectively, the "Accounts"), to the law firm Faloni & Associates, LLC ("Faloni") for collection. Faloni was to file lawsuits as to these Accounts.

6. Pursuant to the collection agreement between OPS 9 and Faloni (the "Collection Agreement"), Faloni agreed to follow all applicable laws in the collection and attempted collection of these accounts. OPS 9 relied upon Faloni to handle these Accounts in a lawful and proper manner.

7. The Collection Agreement provided that Faloni would:

Indemnify, defend, and hold [OPS 9] harmless against liability, loss, or damage, including but not limited to attorney's fees and costs, which may result from any acts of commission or omission by [Faloni], its agents, servants, representative (sic), or employees or by reason of any matter or thing arising out of the performance of services by [Faloni] under the Collection Agreement.

8. It is my understanding that, when filing these lawsuits, Faloni was required by the State of New Jersey to redact account numbers from the copies of the unpaid checks it filed with the Court. Faloni failed to properly redact these account numbers, as well as made other mistakes in the attempted collection of these accounts.

9. On or about February 2014, Plaintiff filed a class action against OPS 9 and myself (the "Lawsuit") for purported violations of the Fair Debt Collection Practices Act ("FDCPA"). However, if there were any FDCPA violations, they were made by Faloni, not OPS 9 or me.

10. OPS 9 and I retained our national counsel, Bedard Law Group ("Bedard"), to represent us in the Lawsuit. Bedard is located in the Atlanta, Georgia area and are not admitted in the District of New Jersey. Bedard informed me that they had retained the Salvo Law Firm to act as local counsel in the District of New Jersey. We approved this retention.

11. On or about March 27, 2014, OPS 9 requested indemnification and defense from Faloni, pursuant to the Collection Agreement.

12. OPS 9 then filed a Third-Party Complaint against Faloni.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 25, 2019

Anurag Sett
ANURAG SETT